REMARKS

Claims 1-24 are pending. In response to the restriction requirement, Applicants elect Group I (claims 1-13 and 24) with traverse. They reserve the right to prosecute the nonelected claims in a divisional application. With respect to the requirement to elect a species for examination, Applicants elect 4-(2-formyl-3-hydroxyphenoxymethyl) benzoic acid; claims 1-24 are generic to the elected species.

Notwithstanding the above election, Applicants disagree with the Examiner's contention that claims 1-24 lack unity of invention, and therefore fall into different groups of invention. Traversal is based on the claims being linked so as to form a single general inventive concept under PCT Rule 13.1. Therefore, Applicants request that claims 1-24 be examined together in this application.

Applicants submit that, in accordance with the M.P.E.P., the claims identified by the Examiner as separate inventions are linked so as to form a single general inventive concept. In particular, the Examiner's attention is directed to M.P.E.P. § 1850 C. Combinations of Different Categories of Claims (8th Ed., August 2001) which states on page 1800-62:

> The method for determining unity of invention under Rule 13 PCT shall be construed as permitting, in particular, the inclusion of any one of the following combinations of claims of different categories in the same international application:
>
> (A) In addition to an independent claim for a given product, an independent claim for a process specially adapted for the manufacture of the said product, and an independent claim for a use of the said product; . . . .
>
> Thus, a process shall be considered to be specially adapted for the manufacture of a product if the claimed process inherently results in the claimed product with the technical relationship being present between the claimed product and claimed process. The words "specially adapted" are not intended to imply that the product could not also be manufactured by a different process.

Here, Group II (claims 14-17) is directed to a product, which product is used in the method of Group I (claims 1-13 and 24) and made by the method of Group III (claims 18-23). Because the pending claims are a combination of claims for product (Group II), manufacture of the product (Group III), and use of the product (Group I) as discussed above, there is unity of invention.

The Office Action on page 3 alleges, "Each compound is chemically and structurally distinct from each other which does not constitute a general inventive group." This is incorrect because the compounds are Schiff base forming compounds (see page 30, lines 15-18, of the specification and the amendment to claim 1).

Furthermore, under the Commissioner's Notice of March 26, 1996 (1184 OG 86) implementing the Federal Circuit's decisions of *In re Ochiai*, 37 USPQ2d 1127 (1995) and *In re Brouwer*, 37 USPQ2d 1663 (1996), rejoinder of process claims is requested upon an indication that product claims are allowable.

Having fully responded to the pending objections and rejections in the Office Action, Applicants submit the claims are in condition for allowance and earnestly solicit a Notice to that effect. If any further information is needed, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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APPENDIX

MARKED-UP VERSION TO SHOW CHANGES

IN THE SPECIFICATION

The following new paragraph is added on page 1 after the title:

This is a national stage application under 35 U.S.C. 371 of PCT/EP99/06217, filed August 25, 1999, now abandoned.

IN THE ABSTRACT

The abstract of the disclosure is attached.

IN THE CLAIMS

Please amend claim 1 as follows:

1. (Amended) A method of vaccinating a mammal against a disease state, comprising administrating to said mammal, within an appropriate vector, a nucleotide sequence encoding an antigenic peptide associated with the disease state;

additionally administering to said mammal a Schiff base forming compound which enhances both humoral and cellular immune responses initiated by the antigenic peptide, the compound being selected from the group consisting of:

4-(2-formyl-3-hydroxyphenoxymethyl)benzoic acid;

5-(2-formyl-3-hydroxyphenoxy)pentanamide;

N,N-diethyl 5-(2-formyl-3-hydroxyphenoxy)pentanamide;

N-isopropyl 5-(2-formyl-3-hydroxyphenoxy)pentanamide;

ethyl 5-(2-formyl-3-hydroxyphenoxy)pentanoate;

5-(2-formyl-3-hydroxyphenoxy)pentanonitrile;

(±)-5-(2-formyl-3-hydroxyphenoxy)-2-methylpentanoic acid;

5-(2-formyl-3-hydroxyphenoxy)-2,2-dimethylpentanoic acid;

methyl 3-(2-formyl-3-hydroxyphenoxy)methylbenzoate;

3-(2-formyl-3-hydroxyphenoxy)methylbenzoic acid;

benzyl 5-(2-formyl-3-hydroxyphenoxy)pentanoate;

5-[4-(2-formyl-3-hydroxyphenoxy)-*N*-butyl]tetrazole;

7-(2-formyl-3-hydroxyphenoxy)heptanoic acid;

5-(2-formyl-3-hydroxy-4-*n*-propoxyphenoxy)pentanoic acid;

5-(4,6-dichloro-2-formyl-3-hydroxyphenoxy)pentanoic acid;

5-(2-formyl-3-hydroxyphenoxy)-*N*-methylsulphonylpentanamide;

ethyl 4-(2-formyl-3-hydroxyphenoxymethyl)benzoate;

5-(4-chloro-2-formyl-3-hydroxyphenoxy)pentanoic acid;

5-(3-acetylamino-2-fomyl phenoxy)pentanoic acid;

Aminoguanidine;

4-(2-formyl-3-hydroxyphenoxy)butanoic acid;

6-(2-formyl-3-hydroxyphenoxy)hexanoic acid;

ethyl 4-(3-acetylaminio-2-formylphenoxymethyl)benzoate;

4-(3-acetylamino-2-formylphenoxymethyl)benzoic acid;

2-(2-formyl-3-hydroxyphenoxymethyl)benzoic acid;

5-[4-(2-formyl-3-hydroxyphenoxymethyl)phenyl]tetrazole;

5-(2-formyl-3-hydroxy-4-methoxyphenoxy)pentanoic acid;

3-(2-formyl-3-hydroxyphenoxy)propionitrile;

4-Hydroxyphenylacetaldehyde;

Phenylacetaldehyde;

4-Methoxyphenylacetaldehyde;

1-hydroxy-2-phenylpropane;

3-Phenylproponionaldeyde;

4-Nitrobenzaldehyde;

Methyl 4-formylbenzoate;

4-Chlorobenzaldehyde;

4-Methyloxybenzaldehyde;

4-Methylbenzaldehyde;

8,10-Dioxoundecanoic acid;

4,6-Dioxoheptanoic acid;

Pentanedione;

5-methoxy-1-tetralone;

6-methoxy-1-tetralone;

7-methoxy-1-tetralone;

2-tetralone;

3-hydroxy-1-(4-methoxyphenyl)-3-methyl-2-butanone;

2' ,4'-dihydroxy-2-(4-methoxyphenyl)acetophenone;

2-hydroxy-1-(4-methyoxyphenyl)-pent-2ene-4one;

Naringenin 4',5,6-trihydroxyflavonone;

4'-methoxy-2-(4-methoxyphenyl)acetophenone;

6,7-dihydroxycoumarin;

7-methoxy-2-tetralone;

6,7-dimethoxy-2-tetralone;

6-hydroxy-4-methylcoumarin;

Homogentisic acid gamma lactone;

6-hydroxy-1,2-naphthoquinone;

8-methoxy-2-tetralone;

and physiologically acceptable salts thereof, where appropriate.